

## **Data Protection Declaration of ProCredit Holding AG & Co. KGaA**

### **I. Name and address of controller**

The controller, within the meaning of the General Data Protection Regulation (GDPR) and other national data protection laws of the member states as well as other data protection regulations, is:

*ProCredit Holding AG & Co. KGaA  
Rohmerplatz 33-37  
60486 Frankfurt am Main  
Germany  
Tel.: 069 95 14 37 0  
E-mail: [pch.info@procredit-group.com](mailto:pch.info@procredit-group.com)  
Website: [www.procredit-holding.com](http://www.procredit-holding.com)*

### **II. Name and address of Data Protection Officer**

The Data Protection Officer of the controller is:

*Diana Zaszlos  
c/o ProCredit Holding AG & Co. KGaA  
Rohmerplatz 33-37  
60486 Frankfurt am Main  
Germany  
Tel.: 069 95 14 37 0  
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Website: [www.procredit-holding.com](http://www.procredit-holding.com)*

### **III. General information on Data Processing**

#### **1. Scope of personal data processing**

In general, we only process personal data of our users if necessary to provide a functional website, content and services. The processing of personal data of our users takes place regularly only after consent of the user. An exception applies in those cases where prior consent cannot be obtained for real reasons and the processing of the data is permitted by law.

## **2. Legal basis for processing personal data**

Insofar as we obtain consent from a data subject for processing operations on personal data, Art. 6(1) lit. a GDPR serves as the legal basis.

If the processing of personal data is necessary for the performance of a contract to which the data subject is party, the processing is based on Art. 6(1) lit. b GDPR. The same applies to such processing operations which are necessary for carrying out pre-contractual measures.

Insofar as our company is subject to a legal obligation by which processing of personal data is required, such as for the fulfilment of tax obligations, the processing is based on Art. 6(1) lit. c GDPR.

In cases where the processing of personal data may be necessary to protect the vital interests of the data subject or of another natural person, such processing would be based on Art. 6(1) lit. d GDPR.

Art. 6(1) lit. f GDPR serves as the legal basis for processing, if such processing is necessary for the legitimate interests pursued by our company or a third party, except when these interests are overridden by the interests, fundamental rights and freedoms of the data subject.

## **3. Data erasure and period for which personal data will be stored**

Personal data of the data subject are erased or made unavailable once the purpose of storing the data is no longer applicable. Furthermore, data may be stored if this has been provided for by the European or national legislator in EU regulations, laws or other provisions to which the controller is subject. The data will also be blocked or deleted if a storage period prescribed by the aforementioned standards expires, unless there is a need for further storage of the data to complete or fulfil a contract.

## **IV. Preparation of the website and creation of log files**

### **1. Description and scope of data processing**

Each time our website is accessed, our system automatically collects data and information from the computer system accessing our site.

The following data are collected:

- (1) information about the browser type and version used
- (2) operating system of the user
- (3) Internet service provider of the user
- (4) IP address of the user
- (5) date and time of access
- (6) websites directing the user's system to our site
- (7) websites accessed by the user's system via our website

The data are also stored in the log files of our system. These data are not stored together with other personal data of the user.

## **2. Legal basis for data processing**

Art. 6(1) lit. f GDPR serves as the legal basis for temporary storage of data and log files.

## **3. Purpose of data processing**

Temporary storage of the IP address by the system is necessary to enable website delivery to the user's computer. For this purpose the IP address of the user must remain stored for the duration of the session.

Data are stored in log files to ensure the functionality of the website. In addition, the data serve to optimise the website and ensure the security of our information technology systems. An evaluation of the data for marketing purposes does not take place in this context.

Likewise, our legitimate interest in data processing pursuant to Art. 6(1) lit. f GDPR is based on in these purposes.

## **4. Duration of storage**

Data are erased as soon as they are no longer required for the achievement of the purpose for which they were collected. In the context of collecting data in order to make the website available, this means the end of the respective session.

If the data are stored in log files, this is usually the case after seven days. Storage for a further period is possible.

## **5. Possibility to object and remove**

The collection of data for the provision of the website and the storage of data in log files is absolutely necessary for the operation of the website. Consequently, there is no possibility for the user to object.

# **V. Web analysis via etracker**

## **1. Scope of personal data processing**

The provider of this website uses the services of etracker GmbH from Hamburg, Germany for the analysis of usage data. This entails the use of cookies, which enable a statistical analysis of how this website is used by visitors as well as the display of usage-related content or advertising. Cookies are small text files that are stored by the Internet browser on the user's device. etracker cookies do not contain any information that enables a user to be identified.

The data generated with etracker are processed and stored by etracker exclusively in Germany on behalf of the provider of this website and are thus subject to the strict German and European data protection laws and standards. etracker has been independently tested, certified and awarded the data protection seal of approval.

## **2. Legal basis for processing personal data**

Data are processed on the legal basis of Art. 6(1) lit f (legitimate interest) of the EU General Data Protection Regulation (GDPR).

## **3. Purpose of data processing**

Our legitimate interest is the optimisation of our website. As the privacy of our visitors is very important to us, etracker anonymises the IP address as early as possible and converts login or device IDs into a unique key to which, however, no connection to any specific person can be made. etracker does not use it for any other purpose, combine it with other data or pass it on to third parties.

## **4. Duration of storage**

Data are be deleted as soon as they are no longer required for the purposes for which they were collected. In our case, this means after two years.

## **5. Possibility to object and remove**

You can object to the data processing described above at any time, provided it is related to your person. Your objection has no detrimental consequences for you.

Further information on data protection with etracker can be found at <https://www.etracker.com/datenschutz>

## **VI. Investor Relations mailing list**

### **1. Description and scope of data processing**

If you have consented to be included in our Investor Relations mailing list, we process the following data items from you: title, first name, surname, e-mail address

In the course of the registration process, your consent is obtained for the processing of the data and reference is made to this Data Protection Declaration.

No data are passed on to third parties in connection with data processing for distribution (except within the framework of permissible order processing). The data are used exclusively for the delivery of information about our company via our Investor Relations mailing list.

### **2. Legal basis for data processing**

If the user has given consent, the legal basis for the processing of data is Art. 6(1) lit. a GDPR.

### **3. Purpose of data processing**

The collection of the above-mentioned personal data of the user serves to provide information about our company via our Investor Relations mailing list.

### **4. Duration of storage**

Data are erased as soon as they are no longer required for the achievement of the purpose for which they were collected. With regard to the delivery of information about our company via the Investor Relations mailing list, this means that the user's e-mail address is stored until consent is revoked.

### **5. Possibility to object and remove**

The user can request to be removed from the mailing list at any time. For this purpose, each e-mail contains a corresponding notice.

## **VII. E-mail contact**

### **1. Description and scope of data processing**

It is possible to initiate contact using the respective e-mail address provided on our website. In such cases, the personal data transmitted with the e-mail are stored.

There is no transfer of data to third parties in this context. The data are only used in connection with the conversation, unless the user wishes to be included in a specific mailing list or similar.

### **2. Legal basis for data processing**

Art. 6 (1) lit. f GDPR serves as the legal basis for the processing of data transmitted in the context of submitting an e-mail. Art. 6 (1) lit. b GDPR also serves as legal basis if the aim of the e-mail contact is to conclude a contractual agreement.

### **3. Purpose of data processing**

Personal data from an e-mail contact is only processed in order to process the contact. Therein lies the necessary and legitimate interest in processing the data.

### **4. Duration of storage**

Data are erased as soon as they are no longer required for the achievement of the purpose for which they were collected. For personal data transmitted via e-mail, this is the case when the respective conversation with the user has ended. The conversation has ended when the circumstances indicate that the respective matter has been clarified.

## **5. Possibility to object and remove**

The user has the possibility at any time to withdraw his/her consent to the processing of personal data. If the user makes contact with us via e-mail, he/she may also use the same channel to object to the storage of his/her personal data. In such cases, the conversation cannot be continued.

All personal data stored in connection with this contact are then erased.

## **VIII. Data protection provisions about the application and use of Google Analytics (with anonymization function) for the PI Website Landing Page**

On the PI website landing page (<https://www.procreditbank-direct.com/>), the controller has integrated the component of Google Analytics (with the anonymizer function). Google Analytics is a web analytics service. Web analytics is the collection, gathering, and analysis of data about the behavior of visitors to websites. A web analysis service collects, inter alia, data about the website from which a person has come (the so-called referrer), which sub-pages were visited, or how often and for what duration a sub-page was viewed.

The operator of the Google Analytics component is Google Inc., 1600 Amphitheatre Pkwy, Mountain View, CA 94043-1351, United States.

For the web analytics through Google Analytics the controller uses the application "\_gat.\_anonymizeIp". By means of this application the IP address of the Internet connection of the data subject is abridged by Google and anonymised when accessing our websites from a Member State of the European Union or another Contracting State to the Agreement on the European Economic Area.

The purpose of the Google Analytics component is to analyze the traffic on the website. We use this service to understand how users access and utilize our website, so that we can continue to improve our service.

Google Analytics places a cookie on the information technology system of the data subject. Cookies are text files that are stored in a computer system via an Internet browser.

The cookie is used to store information, such as the access time, the location from which the access was made, and the frequency of visits of our website by the data subject.

The data subject may prevent the setting of cookies through our website at any time by means of a corresponding adjustment of the web browser used and thus permanently deny the setting of cookies. Such an adjustment to the Internet browser used would also prevent Google Analytics from setting a cookie on the information technology system of the data subject. In addition, cookies already in use by Google Analytics may be deleted at any time via a web browser or other software programs.

In addition, the data subject has the possibility of objecting to a collection of data that are generated by Google Analytics, which is related to the use of this website, as well as the processing of this data by Google and the chance to preclude any such. For this purpose, the data subject must download a browser add-on under the link <https://tools.google.com/dlpage/gaoptout> and install it. This browser add-on tells Google Analytics through a JavaScript, that any data and information about the visits of Internet pages may not be transmitted to Google Analytics. The installation of the browser add-ons is

considered an objection by Google. If the information technology system of the data subject is later deleted, formatted, or newly installed, then the data subject must reinstall the browser add-ons to disable Google Analytics. If the browser add-on was uninstalled by the data subject or any other person who is attributable to their sphere of competence, or is disabled, it is possible to execute the reinstallation or reactivation of the browser add-ons.

Further information and the applicable data protection provisions of Google may be retrieved under <https://www.google.com/intl/en/policies/privacy/> and under <http://www.google.com/analytics/terms/us.html>. Google Analytics is further explained under the following Link <https://www.google.com/analytics/>.

## **IX. Rights of the data subject**

If your personal data are processed, you are a data subject within the meaning of the GDPR and you have the following rights towards the controller:

### **1. Right to information**

You can ask the controller to confirm whether your personal data are being processed by us.

If such processing is taking place, you can ask the controller to provide the following information:

- (1) the purposes for which the personal data are being processed
- (2) the categories of personal data being processed
- (3) the recipients or categories of recipients to whom your personal data have been or will be disclosed
- (4) the planned duration of the storage of your personal data or, if concrete information about this is not available, criteria for the determination of the storage period
- (5) the existence of a right to request from the controller rectification or erasure of personal data, a right to restriction of processing of personal data concerning the data subject or a right to object to such processing
- (6) the right to lodge a complaint with a supervisory authority
- (7) all available information on the origin of the data if the personal data are not collected from the data subject
- (8) the existence of automated decision-making, including profiling, referred to in Art. 22(1) and (4) GDPR and, at least in these cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject

You have the right to request information as to whether your personal data are being or have been submitted to a third country or to an international organisation. In this context, you may request to be informed of the appropriate guarantees pursuant to Art. 46 GDPR in connection with the submission.

## **2. Right to rectification**

You have a right of rectification and/or completion towards the controller if your personal data processed are incorrect or incomplete. The controller shall undertake the rectification of the data without delay.

## **3. Right to restriction of processing**

Under the following conditions you may request that the processing of your personal data be restricted:

- (1) if you contest the accuracy of your personal data for a period enabling the controller to verify the accuracy of the personal data
- (2) if the processing is unlawful and you decline to have the personal data erased and instead request that the use of your personal data be restricted
- (3) if the data controller no longer needs the personal data for the purposes of the processing, but you need them to assert, exercise or defend legal claims, or
- (4) if you have filed an objection against the processing pursuant to Art. 21(1) GDPR and it has not yet been determined whether the legitimate reasons of the controller outweigh your reasons

Where processing of your personal data has been restricted, these data shall, with the exception of storage, only be processed with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

If the processing restriction is restricted according to the above conditions, you will be informed by the controller before the restriction is removed.

## **4. Right to erasure**

### **a) Obligation to erase**

You shall have the right to request that the controller erase your personal data without undue delay and the controller shall have the obligation to erase these data without undue delay if one of the following reasons applies:

- (1) your personal data are no longer necessary in relation to the purposes for which it was collected or otherwise processed



- (2) you revoke your consent on which the processing was based pursuant to Art. 6(1)(a) or Art. 9(2)(a) GDPR, and there is no other legal basis for the processing
- (3) you file an objection against the processing pursuant to Art. 21(1) GDPR and there are no overriding legitimate reasons for the processing, or you file an objection against the processing pursuant to Art. 21(2) GDPR
- (4) your personal data have been processed unlawfully
- (5) your personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject
- (6) your personal data have been collected in relation to the offer of information society services referred to in Art. 8(1) GDPR

b) Information for third parties

Where the controller has made your personal data public and is obliged pursuant to Art. 17(1) GDPR to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that you, as the data subject, have requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

c) Exceptions

The right to erasure does not apply if the processing is necessary:

- (1) for exercising the right of freedom of expression and information
- (2) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- (3) for reasons of public interest in the area of public health pursuant to Art. 9(2)(h) and (1) as well as Art. 9(3) GDPR
- (4) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Art. 89(1) GDPR in so far as the right referred to in paragraph a) is likely to render impossible or seriously impair the achievement of the objectives of that processing or
- (5) for the establishment, exercise or defence of legal claims

## 5. Right to notification

If you have exercised your right of rectification, deletion or limitation of processing against the controller, the controller is obliged to notify all recipients to whom your personal data have

been disclosed of such rectification or erasure or restriction of processing, unless this proves impossible or involves disproportionate effort.

You have the right to be notified about these recipients by the controller.

## **6. Right to data portability**

You have the right to receive your personal data, which you have provided to the controller, in a structured, common and machine-readable format. In addition, you have the right to transmit these data to another controller without obstruction by the controller to whom the personal data was provided, provided that

- (1) the processing is based on consent pursuant to Art. 6(1)(a) GDPR or Art. 9(2)(a) GDPR or on a contract pursuant to Art. 6(1)(b) GDPR and
- (2) the processing is carried out by automated means.

In exercising this right, you also have the right to have your personal data transferred directly from one data controller to another data controller, insofar as this is technically feasible. In so doing, care must be taken to ensure that the freedoms and rights of other persons are not impaired.

The right to data portability does not apply to the processing of personal data that is necessary in order to perform a task that is in the public interest or was assigned to the controller in the exercise of public authority.

## **7. Right to object**

For reasons relating to your particular situation, you have the right to object at any time to the processing of your personal data that takes place on the basis of Art. 6(1)(e) or (f) GDPR; this also applies to profiling carried out on the basis of these provisions.

The controller shall no longer process your personal data unless the controller demonstrates compelling legitimate grounds for the processing which override your interests, rights and freedoms, or for the establishment, exercise or defence of legal claims.

If your personal data is processed for direct marketing purposes, you have the right to object at any time to the processing of your personal data for the purpose of such marketing; this also applies to profiling to the extent that it is related to direct marketing.

If you object to processing for direct marketing purposes, your personal data will no longer be processed for such purposes.

You have the option to exercise your right to object in conjunction with the use of information society services – regardless of Directive 2002/58/EC – by way of automated processes in which technical specifications are used.

## **8. Right to withdraw statement of consent regarding data protection**

You have the right to withdraw your consent regarding data protection at any time. The withdrawal of consent shall not affect the legality of the processing carried out on the basis of the consent until withdrawal.

## **9. Automated individual decision-making, including profiling**

You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you. This shall not apply if the decision:

- (1) is necessary for entering into, or performance of, a contract between the data subject and a data controller,
- (2) is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests; or
- (3) is based on your explicit consent.

However, these decisions must not be based on special categories of personal data referred to in Art. 9(1) GDPR, unless Art. 9(2)(a) or (g) applies and suitable measures to safeguard your rights and freedoms and legitimate interests are in place.

In the cases referred to in points (1) and (3), the data controller shall implement suitable measures to safeguard your rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision.

## **10. Right to lodge a complaint with a supervisory authority**

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you feel that the processing of your personal data infringes the GDPR.

The supervisory authority with which the complaint has been lodged will inform the complainant on the progress and the outcome of the complaint including the possibility of a judicial remedy pursuant to Article 78 GDPR.